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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Tomio ENDO et al

Serial No. : To be assigned (Division of
USSN 09/532,818, filed
March 21, 2000)

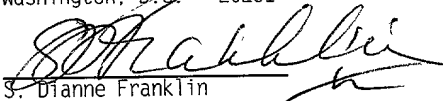
Filed : Concurrently herewith

For : CONFOCAL MICROSCOPE

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S. Dianne Franklin

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PRELIMINARY AMENDMENT

S I R :

Please amend the above-identified application as follows:

IN THE TITLE:

Please change the title to --CONFOCAL MICROSCOPE--.

IN THE ABSTRACT:

Please replace the abstract at page 85 with the following:

ABSTRACT

In a confocal microscope, a beam of light from a light
source is lead to a rotary disk by way of an optical lens
and a half mirror, and made to strike specimen by way of an
objective lens. The rotary disk has random pin hole pattern

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sections where pin holes are randomly bored through a light blocking mask, and an aperture section having an area k^2 times greater than the area of the random pin hole pattern sections and allowing any light to pass therethrough. The beam of light reflected by the specimen is made to enter a CCD camera by way of the objective lens, the rotary disk, the half mirror and a condenser lens. The CCD camera is adapted to selectively pick up a composite image containing a confocal image component and a non-confocal image component of the specimen obtained through the random pin hole pattern sections and a conventional image of the specimen obtained through the aperture section. Then, a CPU carries out an arithmetic operation of subtracting the conventional image data from the composite image data by means of a difference program to produce a confocal image of the specimen.

IN THE SPECIFICATION;

Page 1, below the title, insert the following paragraph:

This is a Division of Application Serial No. 09/532,818
filed March 21, 2000.

Please replace the paragraph at page 1, line 16 to page 2, line 3 with the following:

Known typical confocal microscopes adapted to operate at high speed include those comprising a Nipkow's disk having a large number of pin holes arranged helically at intervals about ten times as large as their diameter. A confocal microscope comprising a Nipkow's disk is required to eliminate cross talk arising from adjacently located pin holes, and hence relatively large intervals have to be used in order to separate the pin holes from each other. The large intervals reduce the efficiency of utilizing the beam of light from the light source and, as a matter of fact, only 1% of the beam coming from the light source is utilized for the operation of the microscope. This means that the obtained image of the specimen is very dark.

Please replace the paragraph at page 18, lines 2-19 with the following:

FIG. 5B is an enlarged schematic partial plan view of the rotary disk of FIG. 5A, illustrating the random pin hole pattern section 36b of the disk in greater detail. As shown in FIG. 5B, the section 36b has a plurality of pin holes 36a that allow light to pass therethrough and a shield mask 36f, which occupies the area other than the pin holes 36a and is

formed typically by depositing Cr by evaporation so as not to allow any light to pass therethrough. The half-diameter r of the pin holes 36a is normally so selected as to be expressed by formula (1) below:

$$r = bM\lambda/NA \quad \dots (1),$$

where M represents the magnification of the sample image projected on the disk, NA is the aperture ratio, λ is the wavelength of light and b is a constant which is about 0.35. Therefore, if the wavelength λ is equal to 550 nm, the magnification M is 100 and $NA = 0.9$, the half-diameter r of the pin holes will be 21.4 μm .

Please replace the paragraph at page 24, line 24 to page 25, line 2 with the following:

Additionally, since the transmissivity of the linear pattern section 62a is $\frac{1}{2}$ and the area of the aperture section 62b is $\frac{1}{4}$ of that of the linear pattern section 62a, the confocal image can be obtained by using a simple subtraction without involving a multiplication using a constant.

Please replace the paragraph at page 28, lines 13-23 with the following:

Meanwhile, the ratio of the brightness of the composite image to that of the conventional image is determined by the ratio of the area of the linear pattern section 64a and that of the aperture section 64b. The non-confocal component of a composite image can be eliminated only by equalizing the brightness of the conventional image and that of the non-confocal component of the composite image. If they show different levels of brightness, the non-confocal image component can be left in the outcome of the subtraction or the confocal image can be subtracted and missed.

Please replace the paragraph at page 29, line 19 to page 30, line 2 with the following:

Firstly, in Step S1, coefficient α to be used for subtracting the conventional image (non-confocal image) data obtained by means of the aperture section 64b from the composite image data obtained by means of the linear pattern section 64a is input. While the coefficient α may vary depending on the transmissivity of the linear pattern section 64a, the ratio of the area of the linear pattern section 64a and the aperture section 64b, the magnification

of the objective lens and the value of NA, it is typically between 0.5 and 1.5.

Please replace the paragraph at page 34, lines 8-18 with the following:

The shield plates 70₁ and 70₂ are fitted to the rotary disk 70 by means of the holes arranged at the top thereof and shield plate holding members 72a, 72b. The shield plates 70₁ and 70₂ are provided at the center thereof with a through hole for allowing the rotary shaft to pass therethrough. Additionally, the shield plate 70₁ is provided at the outer periphery thereof with screw threads, whereas the shield plate 70₂ is provided at the inner periphery thereof with screw threads. Thus, the shield plates 70₁ and 70₂ can be rigidly held in position by tightening a screw (not shown).

Please replace the paragraph at page 34, line 19 to page 35, line 1 with the following:

The area of the light blocking sections 70d, 70e can be modified by loosening the screw rigidly holding the shield plate holding members 72a, 72b and moving the shield plates 70₁ and 70₂ around the rotary shaft to modify the area of the aperture section 70c and that of the random pin hole

pattern section 70b. Then, the shield plate holding members 72a, 72b are made to be rigidly held in position by tightening the screw so that the shield plates 70₁ and 70₂ may become immobile once again.

IN THE CLAIMS:

Please cancel claims 1-7, without prejudice.

REMARKS

The specification has been amended in the same manner as in parent application Serial No. 09/532,818, of which the present application is a Division.

The title has been amended to correct the spelling of the word "CONFOCAL" therein.

Claims 1-7 have been canceled, without prejudice.

The present application is a Division, and is directed to the subject matter of claims 8-14 of the original application.

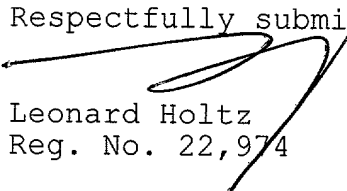
Submitted concurrently herewith is an Information Disclosure Statement. It is respectfully requested that the Examiner act thereon and make the references identified therein "of record".

Submitted herewith is a Letter to the Official Draftsperson providing corrected drawings. The drawing corrections are the same as made in the parent application.

It is respectfully requested that prosecution on the merits now proceed on the basis of the application as amended hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Leonard Holtz
Reg. No. 22,974

Dated: February 27, 2002

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MARKED UP VERSION OF SPECIFICATION
- SHOWING CHANGES MADE THERETO

COPY

- 1 -

COPY

already
amended
in Preliminary
Amendment



CONFOCAL
CONFOCAL MICROSCOPE

TITLE OF THE INVENTION

→ This is a Division of Application Serial Number 09/532,818
CROSS-REFERENCE TO RELATED APPLICATIONS

filed
March 21, 2000

This application is based upon and claims the

5 benefit of priority from the prior Japanese Patent
Applications No. 11-078281, filed March 23, 1999;
No. 11-080026, filed March 24, 1999; No. 11-080028,
filed March 24, 1999; and No. 11-080202, filed March 24,
1999, the entire contents of which are incorporated
10 herein by reference.

BACKGROUND OF THE INVENTION

This invention relates to a confocal microscope
adapted to observe and measure the micro-structure and
the three-dimensional profile of a specimen by
15 utilizing light.

Known typical confocal microscopes adapted to
operate at high speed include those comprising a
Nipkow's disk having a large number of pin holes
arranged helically at intervals about ten times as
20 large as their diameter. A confocal microscope
comprising a Nipkow's disk is required to eliminate
cross talk arising from adjacently located pin holes,
and hence relatively large intervals have to be used in
order to separate the pin holes from each other. The
25 large intervals reduce the efficiency of utilizing the
beam of light from the light source and, as a matter of
fact, only 1% of the beam coming from the light source

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a non-confocal image.

FIG. 5B is an enlarged schematic partial plan view of the rotary disk of FIG. 5A, illustrating the random pin hole pattern section 36b of the disk in greater detail. As shown in FIG. 5B, the section 36b has a plurality of pin holes 36a that allow light to pass therethrough and a shield mask 36f, which occupies the area other than the pin holes 36a and is formed typically by depositing Cr by evaporation so as not to allow any light to pass therethrough. The half-diameter r of the pin holes 36a is normally so selected as to be expressed by formula (1) below:

$$r = bM\lambda / NA$$
 represents sample image projected on the disk ... (1),
where M is the magnification of the lens, NA is

the aperture ratio, λ is the wavelength of light and b is a constant which is about 0.35. Therefore, if the wavelength λ is equal to 550 nm, the magnification M is 100 and $NA = 0.9$, the half-diameter r of the pin holes will be 21.4 μm .

If the area of the random pin hole pattern section 36b having a profile of a sector is S_0 and the total area of the plurality of light-transmitting pin holes is S_1 , the transmissivity k of the sector-shaped random pin hole section 36b is expressed by formula (2) below.

$$k = S_1 / S_0 \quad \dots (2)$$

Assume that the brightness data of point (x, y) of a conventional image of an ordinary microscope is

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the obtained image contains only the legible component in the B direction and hence the confocal component is equal to "0". On the other hand, arrow A in FIG. 7B is perpendicular to the linear light transmitting areas.

5 Therefore, the confocal component is maximal an the legible component is minimal in the obtained image.

Thus, when a rotary disk having linear light transmitting areas (slits) is used, the ratio of the confocal component to the legible component varies as a
10 function of the direction of the light blocking areas relative to the picked up image.

Therefore, as the longitudinal direction of the light blocking areas is turned by 90° , the confocal component and the non-confocal component are equalized
15 in different directions and hence the image obtained by means of a sector-shaped linear pattern section 62a having a central angle of 90° is a composite image obtained by adding a non-confocal image to a confocal image as in the case of the first embodiment. Thus,
20 the confocal image can be obtained by subtracting, using the CPU 52, the conventional image, which is the non-confocal image, obtained by means of the aperture section 62b from the composite image.

Additionally, since the transmissivity of the
25 linear pattern section 62a is $1/2$ and the area of the aperture section 62b is $1/4$ of that of the linear pattern section ^{62a}~~60a~~, the confocal image can be obtained

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a non-confocal image.

If the image data of the composite image corresponding to pixel position (x,y) of the image pickup device of the CCD camera 46 is $cm(x,y)$ and the image data corresponding to the conventional image is $m(x,y)$, the image data $c(x,y)$ of the confocal image for the position (x,y) can be obtained by formula (8) below.

$$c(x,y) = cm(x,y) - m(x,y) \quad \dots (8)$$

A confocal image can be obtained by carrying out the arithmetic operation of formula (8) above for all the pixels.

Meanwhile, the ratio of the brightness of the composite image to that of the conventional image is determined by the ratio of the area of the linear pattern section 64a and that of the aperture section 64b. The non-confocal component of a composite image can be eliminated only by equalizing the brightness of the conventional image and that of the non-confocal component of the composite ^{image} ~~it~~. If they show different levels of brightness, the non-confocal image component can be left in the outcome of the subtraction or the confocal image can be subtracted and missed.

In view of the above circumstances, the conventional image data is multiplied by a constant by means of the constant program 66b and then the composite image data is subjected to an operation of subtracting

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therefrom the data of the corresponding position of the conventional image obtained by the above multiplication using a constant by the subtraction program 66a in order to computationally obtain the confocal image in order to make the brightness of the non-confocal image component of the composite image equal to that of the conventional image in the third embodiment.

5 The outcome of the subtraction is displayed on the display screen of the monitor 58. Thus, the user can regulate and modify the obtained image by modifying the constant stored in the constant program 66b by visually confirming the outcome of the subtraction on the monitor 58 and also the confocal effect (the state where the defocused component of the image is eliminated from the displayed image) generally by shifting the focal point.

10 This operation will be discussed in greater detail by referring to the flow chart of FIG. 10.

15 Firstly, in Step S1, coefficient α to be used for subtracting the conventional image (non-confocal image) data obtained by means of the aperture section 64b from the composite image data obtained by means of the linear pattern section 64a is input. While the coefficient α may vary depending on the transmissivity of the linear pattern section 64a, the ratio of the area of the linear pattern section ^{64a} and the aperture section 64b, the magnification of the objective

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FIG. 12B is a schematic cross sectional lateral view of the rotary disk 70 to which the shield plates 70₁ and 70₂ are fitted. As may be seen from FIG. 12B, each of the light blocking sections 70d, 70e is provided with a pair of shield plates 70₁ and 70₂, only one of the two pairs of shield plates is shown because they are identical and symmetrically arranged.

10 The shield plates 70₁ and 70₂ are fitted to the rotary disk 70 by means of the holes arranged at the top thereof and shield plate holding members 72a, 72b. The shield plate ^{70₁ and 70₂ are} ~~70b~~ is provided at the center thereof with a through hole for allowing the rotary shaft to pass therethrough. Additionally, the shield plate ^{70₁} ~~70a~~ is provided at the outer periphery thereof with screw threads, whereas the shield plate ^{70₂} ~~70b~~ is provided at the inner periphery thereof with screw threads. Thus, the shield plates 70₁ and 70₂ can be rigidly held in position by tightening a screw (not shown).

20 The area of the light blocking sections 70d, 70e can be modified by loosening the screw rigidly holding the shield plate holding members 72a, 72b and moving the shield plates 70₁ and 70₂ around the rotary shaft to modify the area of the aperture section 70c and that of the random pin hole pattern section 70b. Then, the shield plate holding members 72a, 72b are made to be rigidly held in position by tightening the screw so that the shield plate ^{70₁} ~~70b~~ and 70₂ may become immobile

ABSTRACT OF THE DISCLOSURE

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✓
✓
5 In a confocal microscope, ~~according to the invention~~, the beam of light from ^alight source is lead to ^arotary disk by way of ^{an}optical lens and ^ahalf mirror, and made to strike specimen by way of ^{an}objective lens. The rotary disk has random pin hole pattern sections where pin holes are randomly bored through a light blocking mask, and an aperture section having an area k^2 times greater than the area of the random pin hole pattern sections and allowing any light to pass therethrough. The beam of light reflected by the specimen is made to enter ^aCCD camera by way of the objective lens, the rotary disk, the half mirror and ^acondenser lens. The CCD camera is adapted to
10 selectively pick up a composite image containing a confocal image component and a non-confocal image component of the specimen obtained through the random pin hole pattern sections and a conventional image of the specimen obtained through the aperture section.
15 Then, ^aCPU carries out an arithmetic operation of subtracting the conventional image data from the composite image data by means of a difference program to produce a confocal image of the specimen.
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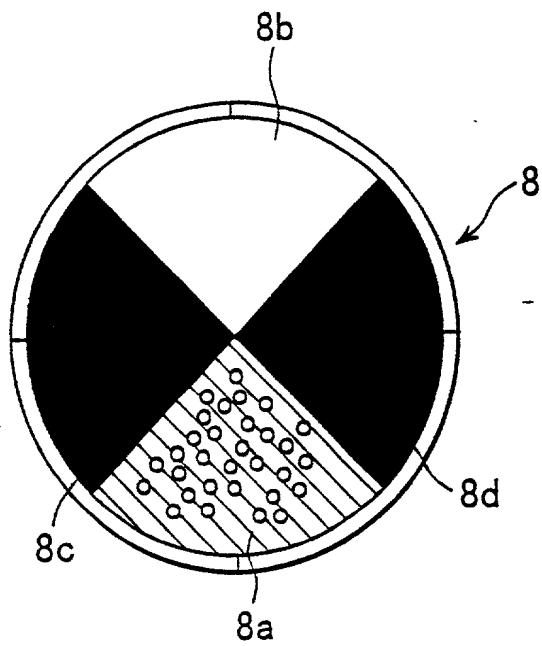


FIG. 2
(PRIOR ART)

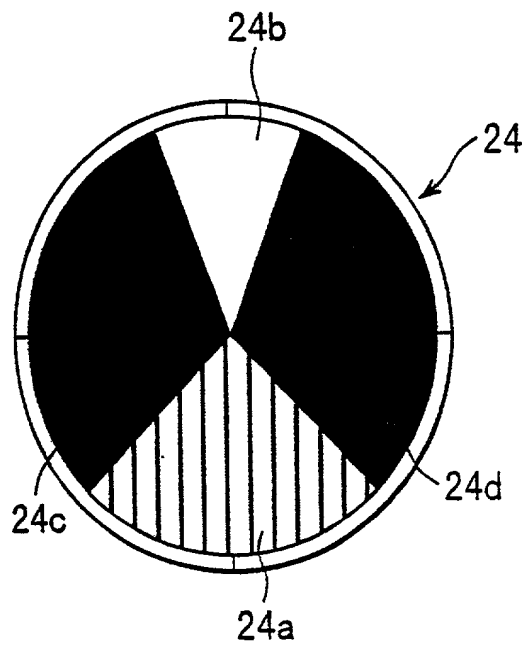


FIG. 3
(PRIOR ART)

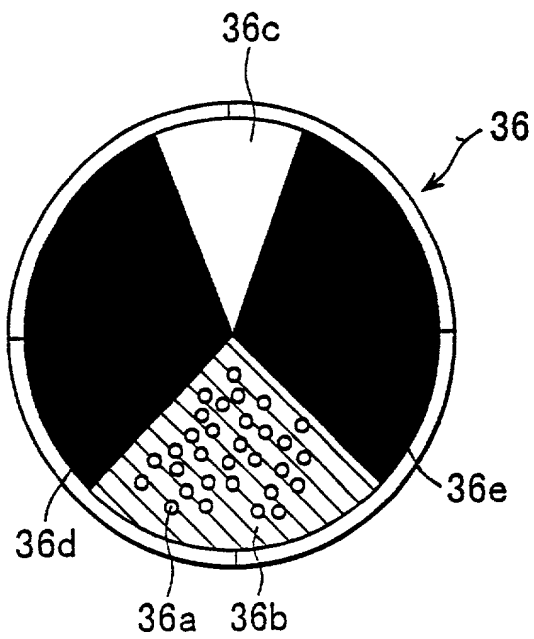


FIG. 5A

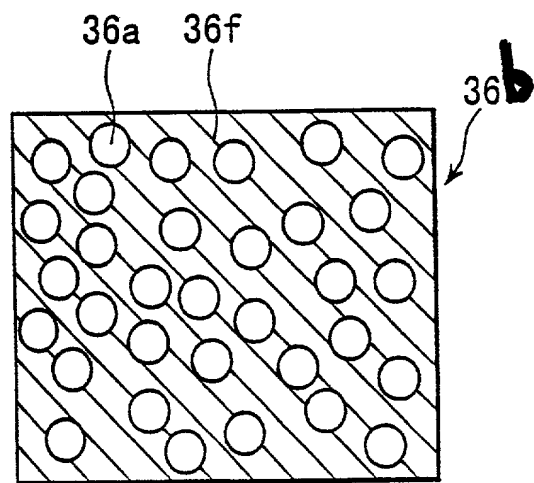


FIG. 5B

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FIG. 6

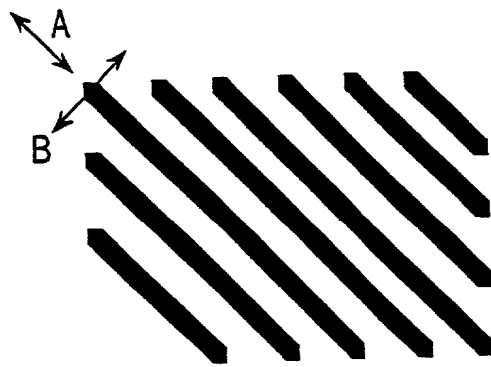
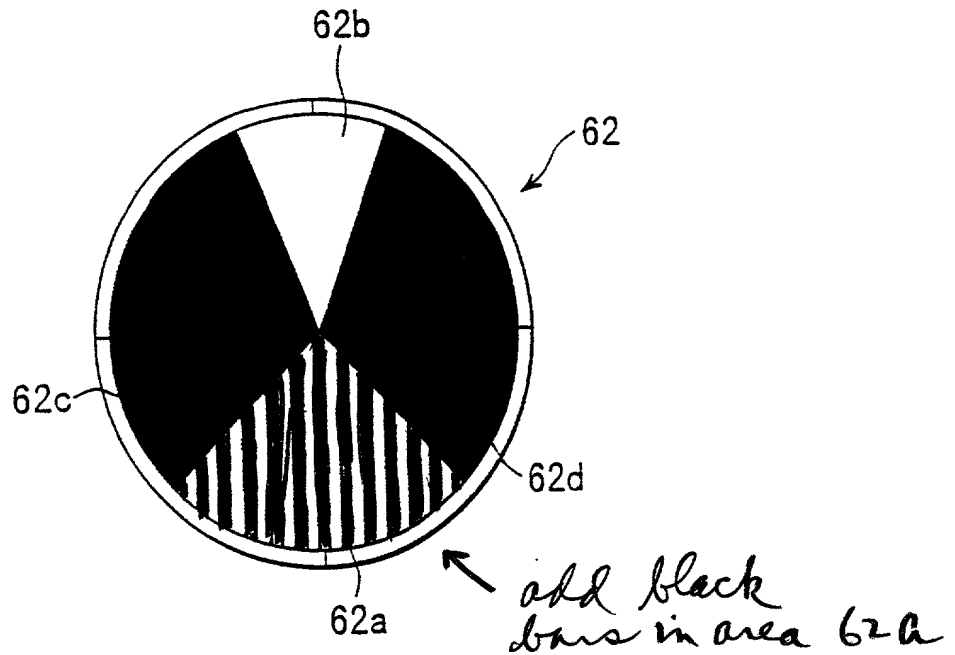


FIG. 7A

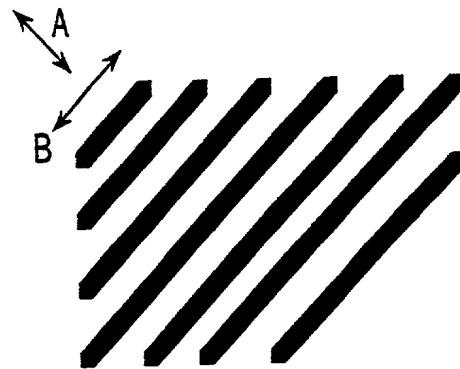
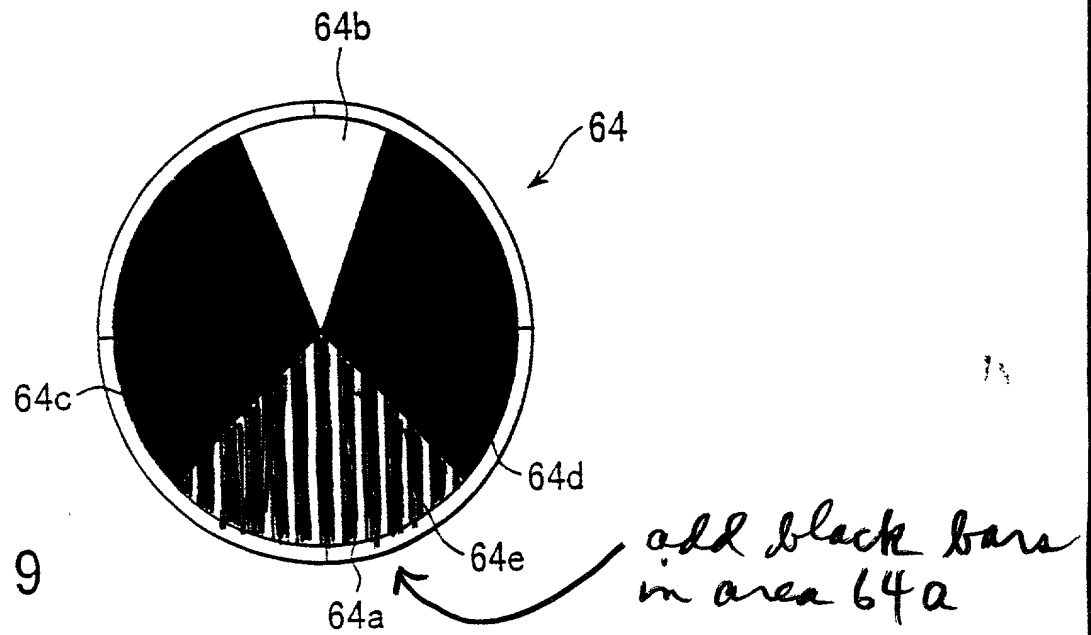


FIG. 7B

FIG. 9



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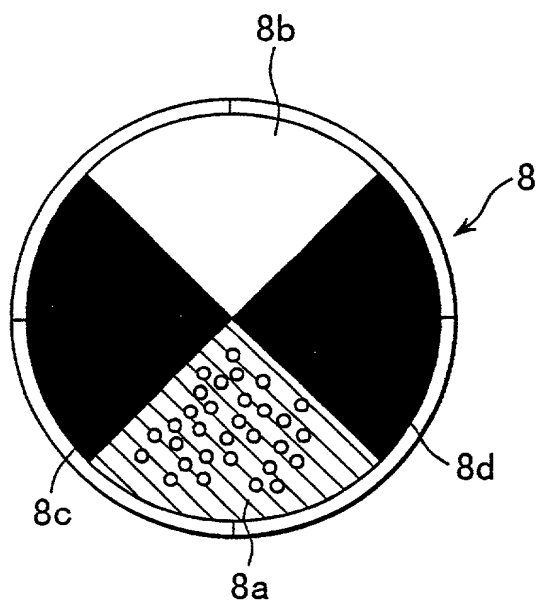


FIG. 2
(PRIOR ART)

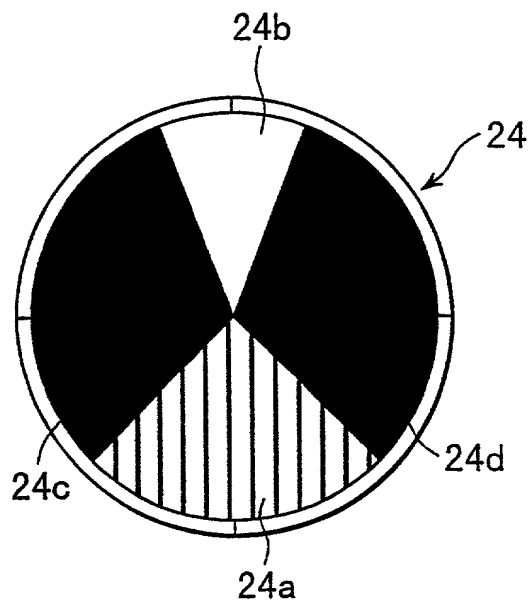


FIG. 3
(PRIOR ART)

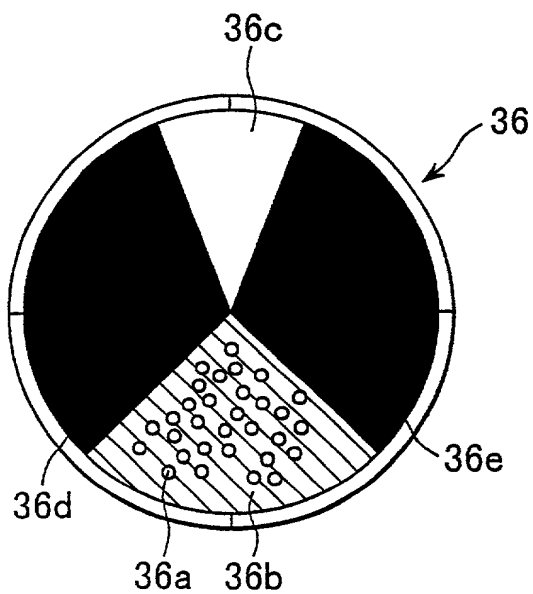


FIG. 5A

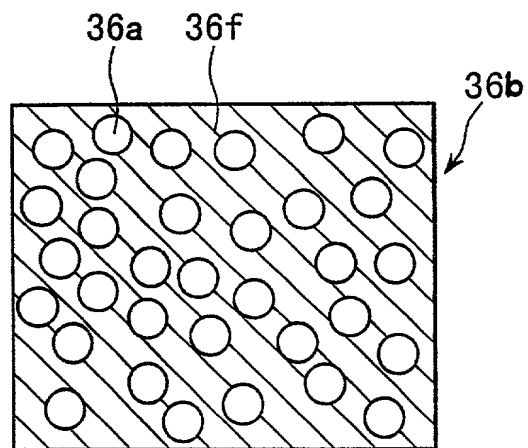


FIG. 5B

